

December 7, 2002

Docket Management System  
U.S. Department of Transportation  
400 Seventh St., SW, PL- 401  
Washington, D.C. 20590-0001

Comments on Docket No. FAA-2002-13378

Ladies and Gentlemen:

Because of my interest in and involvement with purebred dogs, I am very committed to safe air travel for dogs. However, I am also very concerned that the government not create regulations that discourage air carriers from transporting dogs, or that unnecessarily increase the cost and red tape to the public of shipping dogs by air. I believe that the FAA's proposed rule is overly broad, and could create a burden on air carriers that could cause them to restrict or eliminate carriage of animals, resulting in economic loss to those persons whose professions might be injured by the "unintended consequences" of this Rulemaking. It could also result in the imposition of unnecessary costs on the public who ship dogs. I believe the FAA's proposed rule should be modified in the following ways:

1. It is not practical for airlines to report incidents of loss, injury or death to all warm and cold blooded animals, as currently proposed by the FAA. For example, this would require air carriers to assess the health of tropical fish, reptiles, scorpions, and many other species. If air carriers are required to do this, more of them may decide to embargo carrying animals at all, such as some carriers already do. This would be detrimental to the very public whose interests this rule is designed to serve. I believe that the reporting of incidents should be restricted to dogs and cats only. These are the species that were of concern to Congress in the consideration of the underlying legislation that led to this rulemaking.

2. I believe that the proposed rule defines "incident" too broadly. A carrier should be required to initiate an investigation and file a report only when a complaint of loss, injury or death of a dog or cat has been filed by the owner or shipper.

3. I am concerned about the privacy of persons who ship dogs and cats which may be involved in an incident, as defined by the FAA. I believe the FAA rule should make clear that only the number, nature, and cause of incidents should be publicly reported. Information about the name of the owner and the name of the animal involved in the incident should not be included in information about incidents which is reported to or made available to the public.

4. I object to the use of the word guardian in the proposed rule. "Guardian" is a meaningless term, and reflects a political agenda that is not relevant to this issue. This word is unnecessary. Reports should list the animal's owner and/or the consignor and consignee of the shipment.

I understand that the American Kennel Club (AKC) will submit a more detailed and comprehensive comment letter on this proposed rule. The AKC's objectives are to assure safe travel for animals while assuring access to air travel at reasonable cost to the public. I agree with those objectives, and would like to associate myself with the comments of the AKC.

I strongly urge the FAA to modify the proposed rule by taking into account the comments above and those of the AKC. Thank you for your attention to my letter.

Sincerely yours,

Philip H. Green